

RELIEF FROM STAY INFORMATION SHEET

* * SEE IMPORTANT INSTRUCTIONS ON FORM EDC 3-468-INST * *

PLEASE COMPLETE ALL PORTIONS APPLICABLE TO THE RELIEF FROM STAY MOTION

DEBTOR: Paul and Rosa Moller CASE NO. 09-29936

MOVANT: US Bank National Association N.D. DC NO. LAZ#1

HEARING DATE/TIME: November 17, 2009 at 9:30 a.m.

RELIEF IS SOUGHT AS TO ☒ REAL PROPERTY ☐ PERSONAL PROPERTY ☐ STATE COURT LITIGATION

1. Address OR description of property or state court action 9350 Currey Rd., Dixon, CA

2. Movant's trust deed is a ☐ 1st ☒ 2nd ☐ 3rd ☐ Other: _____

OR

Leased property is ☐ Residential ☐ Non-residential Term: ☐ Month-to-Month ☐ Other

3. Verified appraisal filed? No Movant's valuation of property \$ 1,100,000.00

4. The following amounts are presently owing to movant for:

| PRINCIPAL | INTEREST | COSTS | TOTAL |
|----------------------|--------------------|--------------------|----------------------|
| \$ <u>165,300.00</u> | \$ <u>6,100.00</u> | \$ <u>1,100.00</u> | \$ <u>172,500.00</u> |

5. State identity, rank, and balance owing to other known lien holders. Use additional page if necessary

See continuation sheet of Lien Holders attached hereto \$ _____

_____ \$ _____

_____ \$ _____

TOTAL ALL LIENS \$ _____

DEBTOR'S EQUITY \$ 983,926.00

FOR COURT USE ONLY

Note date: _____

Note amount: _____

Note payment: _____

FOR COURT USE ONLY

6. Monthly payment is \$ 1,503.48, of which \$ 0.00 is for impound account. Monthly late charge is \$ 58.00

7. The last payment by debtor was received on 05/20/2009 and was applied to the payment due 05/01/2009

8. Number of payments past due and amount: (a) Pre-petition 0 \$ 0.00 (b) Post-petition 4 \$ 6,013.92

9. Notice of Default was recorded on n/a. Notice of sale was published on n/a

10. If a chapter 13 case, in what class is this claim? _____

11. Grounds for seeking relief (check as applicable):

☒ Cause ☒ Inadequate protection ☒ Lack of equity ☐ Lack of insurance ☐ Bad faith

☐ Other _____

12. For each ground checked above furnish a brief supporting statement in the space below.

The equity in the property is not enough to constitute "adequate protection".

Continuation Sheet

5. State identity, rank, and balance owing to other known lien holders.

Morgan Stanley \$390,208.00

Movant \$172,500.00

Bay Area Financial \$312,218.00

Schlechter Note \$109,000.00

Total all liens: \$983,926.00